

Applic. No. 10/718,315  
Conf. # 9755

Atty Docket No. GLM-1042IT

Remarks:

Reconsideration of the application is requested.

Claims 1 to 42 remain in the application. Claims 10 to 22 are subject to examination and claims 1 to 9 and 23 to 42 have been withdrawn from examination.

On pages 2 to 3 of the above-identified Office action, the Examiner entered a restriction requirement under 35 U.S.C. § 121 and defined four groups. In deference to this restriction requirement, applicants provisionally elect Group II, claims 10 to 22.

Applicant reserves the right to file divisional applications including the claims of Groups I, III, and IV at a later date.

On pages 3 to 4 of the above-identified Office action, the Examiner indicated that the claims are directed to six patentably distinct species labeled A to F. This election of species requirement is not understood by applicants. Where there is a restriction requirement dividing the claims up into four groups I to IV, an election of species requirement would, typically, be directed to one of these four groups and would subdivide the group into different species. However, the six species labeled by the Examiner do not appear to form subsets of one of the four groups I to IV. Instead, the six species

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seem to cover all four groups, and some of the species  
addresses more than one of the four groups I to IV.  
Accordingly, applicants are not able to form a response to the  
election of species and respectfully ask the Examiner to  
provide some clarification.

Applicants repeatedly tried to call the Examiner to speak  
about and correct this issue at least three times in June and  
twice in July. The undersigned received one message from the  
Examiner during this time. It is respectfully submitted that  
the above provisional election of the claims of Group II  
renders the election of species requirement moot. If the  
Examiner should disagree with any of the above, the Examiner  
is kindly requested to call the undersigned to discuss this  
matter.

If an extension of time for this paper is required, petition  
for extension is herewith made.

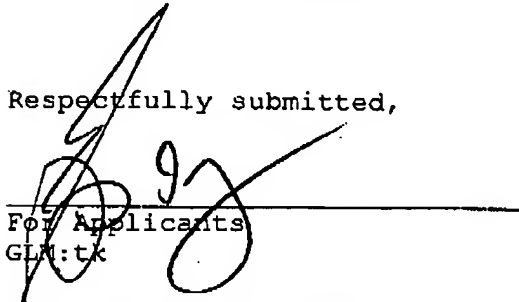
Petition for extension is herewith made. The extension fee for  
response within a period of one (1) month pursuant to Section  
1.136(a) in the amount of \$120.00 in accordance with Section  
1.17 is enclosed herewith.

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Please charge any other fees which might be due with respect  
to Sections 1.16 and 1.17 to the Deposit Account of Feldman  
Gale, P.A., No. 502524.

Respectfully submitted,

  
For Applicants  
GLM:tk

Gregory L. Mayback  
Reg. No. 40,719

Date: August 23, 2005

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